

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

Meeting of the Commission
August 9, 2010
1:30 p.m.

James R. Thompson Center
Murdock Room - IDHS
Suite 5-300
100 West Randolph Street
Chicago, Illinois

and

Illinois Department of Transportation
1100 E. Port Plaza
Room 101
Collinsville, IL 62234

MINUTES

SPECIAL EN BANC MEETING

PRESENT:

Commissioners

In Chicago

Chairman Martin R. Castro
Dr. Sakhawat Hussain, M.D.
David Chang
Nabi Fakroddin, P.E., S.E.
Rozanne Ronen
Charles E. Box

In Collinsville

Marti Baricevic

Via the Telephone

Robert S. Enriquez
Munir Muhammad
Gregory Simoncini
Diane M. Viverito

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Absent Spencer Leak, Sr.
 Marylee Freeman

Staff

Reva Bauch
Michael J. Evans
Evelio Mora
Christine Welninski
Lanade Bridges
Lester Bovia
William Borah
David Brent
Gertrude McCarthy

Members of Public: *None*

NOTICE:

Public meetings and closed meetings of the Illinois Human Rights Commission are audio recorded.

I. Call to Order

On August 9, 2010 at 1:40 p.m., Chairman Martin R. Castro called to order a meeting of the Illinois Human Rights Commission.

Pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 et seq., it was determined that:

- 1) A quorum of the public body was present at the meeting without the physical presence of Commissioners Enriquez, Simoncini, Muhammad, Viverito, Leak and Freeman. Prior to the meeting, Commissioners Enriquez, Simoncini, Muhammad, and Viverito gave notice (and good cause as defined by the Illinois Open Meetings Act) to the Assistant

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General Counsel and Acting Secretary of the Public Body, Evelio Mora, that they wished to participate via telephone because they would be unable to be physically present for the August 9, 2010, meeting.

- 2) The Commission voted to allow Commissioners Enriquez, Simoncini, Muhammad, and Viverito to participate via telephone. Motion made by Commissioner Box, seconded by Commissioner Nabi. Motion carried 7-0.

II. Consideration of Minutes

July 28, 2010

The Commission voted to approve the minutes subject to an amendment of the minutes as follows:

- 1) Paragraph two, line five of Executive Director N. Keith Chambers's report to replace "Jerry Stermer, Governor's Chief of Staff", with "Jay Stewart, Governor's Office of General Counsel".

Motion made by Commissioner Hussain and seconded by Commissioner Nabi to approve the minutes subject to the amendment. Motion carried 11-0.

III. New Business

A) Human Rights Commission ALJ step increases/changes from ALJ IIs to ALJ IIIs

Chairman Martin Castro reported that the Personnel Committee met on July 28, 2010, for the purpose of discussing the issue of creating the classification of Administrative Law Judge III and moving the Commission's ALJ IIs to ALJ IIIs .

The Personnel Committee recommended to the full Commission that the classification of ALJ III be created. After the creation of the ALJ III classification the Commission should move all Commission ALJ IIs to ALJ IIIs.

Chairman Castro reported that he met with Chief Financial Officer Ewa to discuss the fiscal impact of moving the Commission's ALJ IIs to ALJ IIIs. The impact of the promotions would be between \$24,000.00 and \$25,000.00. Due to the state's

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budgetary crisis, Chairman Castro recommended to Dr. Ewa that this increased cost be offset in the FY2011 budget by implementing cost saving measures including a decrease in planned expenditures. If as Dr. Ewa indicated the Commission is unable to offset this amount in the FY 2011 budget, then the Commission may be required to seek additional appropriations from the state.

Commissioner Hussain and Commissioner Ronen observed that the Personnel Committee was comfortable in making these recommendations and that the Commission's ALJs deserve to be promoted to ALJ IIIs.

B) Ancillary ALJ promotion issues

Chairman Castro reported that the Personnel Committee had discussed the issue of outside employment. Presently outside employment is not prohibited, with the exception that ALJs and other attorney staff are prohibited from engaging in legal representation on behalf of a client in return for a fee. The Personnel Committee recommended that the Commission's policy on outside employment remain unchanged.

IV. Executive Session

Pursuant to the Open Meetings Act (5 ILCS 120/2(c)(1)), the Commissioners voted to close a portion of the public meeting at 1:57 p.m. in order to discuss internal personnel matters. Motion made by Commissioner Hussain, seconded by Commissioner Nabi. Motion carried 11-0. At 2:20 p.m., the open meeting resumed.

V. New Business continued

Upon resuming the open meeting, the Commission voted to accept the recommendation of the Personnel Committee. The Commission voted to create the classification of ALJ III and directed the Executive Director to proceed with the creation of the ALJ III classification. After the creation of the classification of ALJ III, all current Commission ALJ IIs will be moved to ALJ IIIs. Motion made by Commissioner Hussain, seconded by Commissioner Nabi. Motion carried 11-0.

C) Update on Torture Commission

Chairman Castro reported that the Governor has appointed seven of the eight members of the Torture Commission. Chairman Castro distributed to the

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Commission copies of the Illinois Torture Inquiry and Relief Commission Act and an outline of the Torture Commission. Chairman Castro reported that he had met with the Governor's Office of the General Counsel, CMS, and the Governor's Office of Budget, regarding the impact of the Torture Commission on the HRC's staff and budget. There are no final decisions on these issues. However, the Chairman will continue to meet with the Governor's Office of the General Counsel, CMS and the Governor's Office of Budget to ensure minimum impact on the HRC.

VI. Adjournment

The meeting was adjourned at 2:29 a.m. Motion made by Commissioner Hussain, with a second by Commissioner Nabi. Motion carried 11-0.

Respectfully submitted,

Harriet Parker
General Counsel